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**AWARDS**  
Pennsylvania Recreation &  
Park Society  
*Local Governmental Award*  
(2005)

Pennsylvania Wildlife  
Federation  
*Conservation Organization*  
*of the Year*  
(2000)

National Coalition of  
Recreational Trails  
*Engineering of HRTCP*  
(2000)

Rails-to-Trails Conservancy  
and American Society of  
Landscape Architects  
*Design of Bridges & Tunnel*  
(2003)

American Trails Association  
*State Trail Worker Award*  
Carl Knoch  
(2004)

National Park Service and  
National Rails-to-Trails  
Conservancy  
*HRTCP*  
(2008)

Pennsylvania Tourism Office  
*Keystone Society Award*  
Carl Knoch  
(2010)

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JUL 19 2011

Part of  
Public Record



July 19, 2011

RECEIVED  
AUG 1  
MANAGEMENT  
STB

Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

**RE: Stewartstown Railroad Company - Adverse Abandonment - In York County,  
PA, STB Docket No. AB-1071**

**FILED FEE WAIVER**

230737

Dear Ms. Brown:

This request is filed on behalf of York County Rail Trail Authority, which is a government agency created pursuant to an ordinance of the Board of Commissioners of the County of York, PA under an Act of the General Assembly of the State, and which is interested in transportation and recreation, hereinafter referred to as 'proponent'.

While not taking a position on the merits of this abandonment, proponent requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization of the Stewartstown Railroad between Stewartstown and New Freedom, PA.

#### **A. Public Use Condition**

Proponent requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition is that the corridor would make an excellent trail for non-motorized transportation and recreation, the corridor would link directly to the Heritage Rail Trail County Park that was developed in the 1990s within the Northern Central Railway corridor from New Freedom to York, PA, and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat and greenspace, and its preservation as a recreational trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time because we have not had an opportunity to assemble or to review title information, complete a trail plan, or commence negotiations with the owner.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for non-motorized transportation and recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

#### **B. Interim Trail Use**

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, York County Rail Trail

Authority is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Stewartstown Railroad Company.

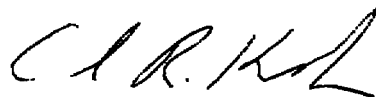
The property, known as the Stewartstown Railroad extends from railroad milepost 0.0 (New Freedom, PA), and milepost 7.4 (roughly 0.2 miles east of Stewartstown, PA), a distance of 7.4 miles in York County, PA. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-1071.

A map depicting the right-of-way is attached.

York County Rail Trail Authority acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Stewartstown Railroad, P.O. Box 155, Stewartstown, PA 17363 by U.S. Mail, postage prepaid, first class, on July 19, 2011.

Respectfully submitted,



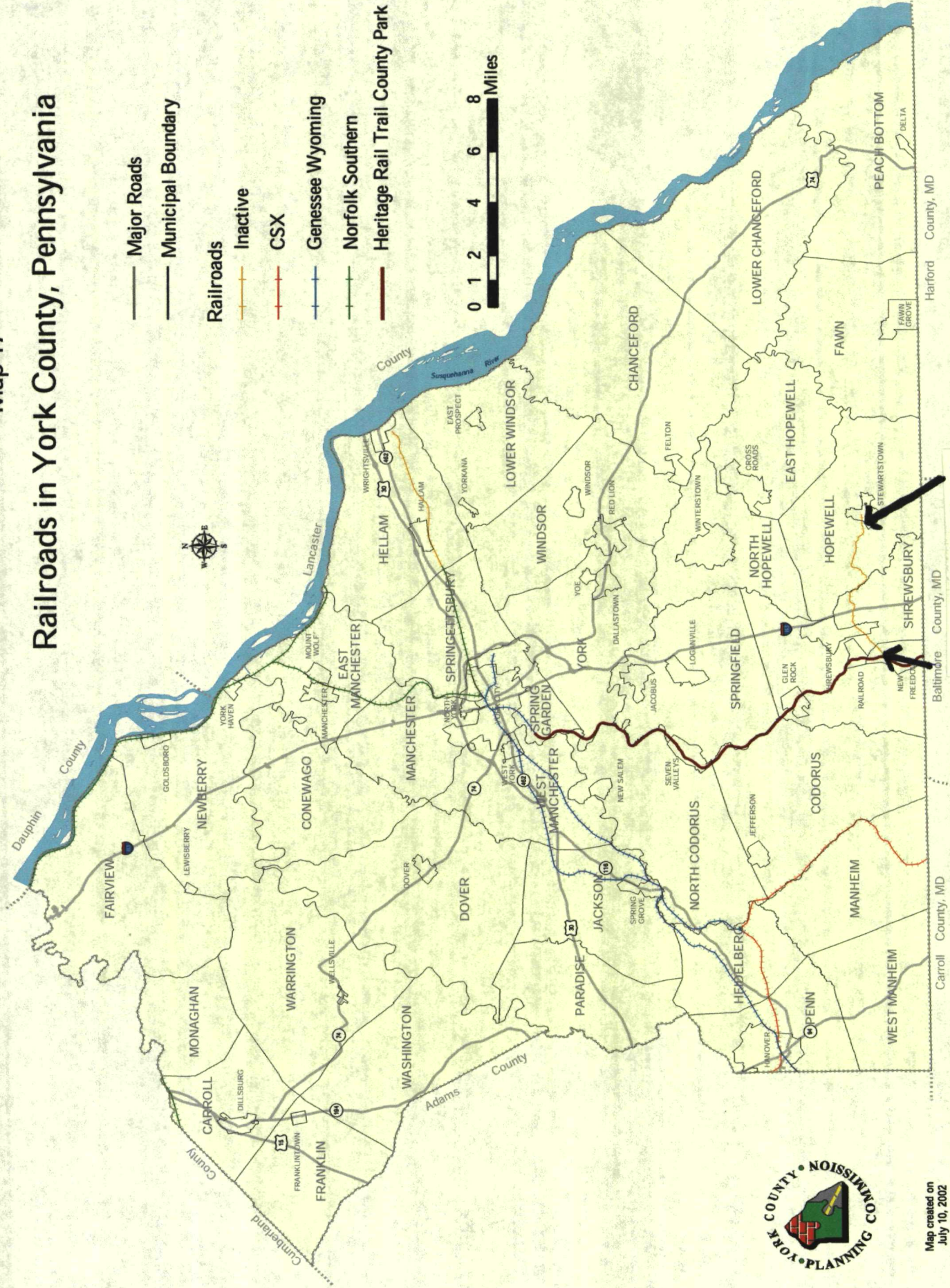
Carl R. Knoch, Chairman  
York County Rail Trail Authority

CC York County Board of Commissioners  
David Williamson, President of Stewartstown Railroad Company  
Keith G. O'Brien, Counsel for Estate of George M. Hart



# Railroads in York County, Pennsylvania

- Major Roads
- Municipal Boundary
- Railroads**
  - Inactive
  - CSX
  - Genesee Wyoming
  - Norfolk Southern
  - Heritage Rail Trail County Park



Stewartstown Railroad

